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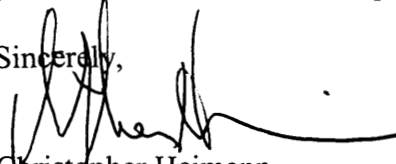
July 1, 2004

Ms. Marlene Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: **Ex Parte Statement:**
CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch :

Today James C. Smith, Gary Phillips, James K. Smith and myself on behalf of SBC Telecommunications, Inc (SBC) met with Commissioner Abernathy and Matt Brill of her staff to discuss the need for the Commission to affirm its prior determination that ILECs are not required to design, reconfigure, or modify next generation networks to facilitate CLEC requests for TDM capability. SBC also stressed the need for the Commission to be clear in affirming that packetized facilities are exempt from UNE unbundling.

Sincerely,

Christopher Heimann

CC: Commissioner Abernathy
Matt Brill